

AMENDED IN SENATE APRIL 22, 2008

AMENDED IN SENATE APRIL 9, 2008

AMENDED IN SENATE APRIL 1, 2008

SENATE BILL

No. 1258

Introduced by Senator Lowenthal

February 15, 2008

~~An act to amend Sections 14877.1 and 14877.2 of the Water Code, relating to graywater. An act to add Sections 17922.12 and 18941.7 to the Health and Safety Code, relating to building standards.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1258, as amended, Lowenthal. ~~Graywater standards. Building standards: graywater.~~

The California Building Standards Law provides for the adoption of building standards by state agencies by requiring all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval and adoption.

Existing law requires the Department of Housing and Community Development to propose the adoption, amendment, or repeal of building standards to the commission relating to hotels, motels, lodging houses, apartment houses, and dwellings, and the buildings and structures accessory thereto, except as specified.

Existing law authorizes a city or county to make changes or modifications in the building standards proposed by the department and approved by the commission, to provide for local variances relating to local climatic, geological, or topographical conditions, upon making certain findings and filing those findings with the commission.

This bill would require the department, at the next triennial building standards rulemaking cycle that commences on or after January 1, 2009, in consultation with the State Department of Public Health, to adopt and submit to the commission for approval building standards for the construction, installation, and alteration of graywater, as defined, systems for indoor use.

The bill would authorize a city, county, or other local agency to adopt, after a public hearing and enactment of an ordinance or resolution, building standards that prohibit entirely the use of graywater, or building standards that are more restrictive than the graywater building standards adopted by the department and published in the California Building Standards Code.

~~Existing law requires the Department of Water Resources, on or before January 1, 1997, and in consultation with the State Department of Public Health and the Center for Irrigation Technology at California State University, Fresno, to adopt standards for the installation of graywater systems. Existing law defines “graywater,” for the purposes of that provision, to include wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs. Existing law permits a graywater system to be installed if the city or county having jurisdiction over the installation determines that the system complies with standards adopted by the department.~~

~~This bill would require the department to adopt standards for the construction, installation, or alteration of graywater systems. The bill would also authorize a graywater system to be constructed or altered if the city or county having jurisdiction over the construction or alteration determines that the system complies with standards adopted by the department.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 17922.12 is added to the Health and
- 2 Safety Code, to read:
- 3 17922.12. (a) For the purposes of this section, “graywater”
- 4 means untreated wastewater that has not been contaminated by
- 5 any toilet discharge, has not been affected by infectious,
- 6 contaminated, or unhealthy bodily wastes, and does not present a
- 7 threat from contamination by unhealthful processing,

1 *manufacturing, or operating wastes. “Graywater” includes*
2 *wastewater from bathtubs, showers, bathroom washbasins, clothes*
3 *washing machines, and laundry tubs, but does not include*
4 *wastewater from kitchen sinks or dishwashers.*

5 *(b) Notwithstanding Chapter 22 (commencing with Section*
6 *14875) of Division 7 of the Water Code, at the next triennial*
7 *building standards rulemaking cycle that commences on or after*
8 *January 1, 2009, the department, in consultation with the State*
9 *Department of Public Health, shall adopt and submit for approval*
10 *pursuant to Chapter 4 (commencing with Section 18935) of Part*
11 *2.5 building standards for the construction, installation, and*
12 *alteration of graywater systems for indoor use.*

13 *(c) In adopting building standards under this section, the*
14 *department shall promote graywater systems while ensuring*
15 *reasonable protection of water quality in accordance with*
16 *applicable provisions of state and federal water quality law.*

17 *(d) The department may revise and update the standards adopted*
18 *under this section.*

19 *SEC. 2. Section 18941.7 is added to the Health and Safety*
20 *Code, to read:*

21 *18941.7. A city, county, or other local agency may adopt, after*
22 *a public hearing and enactment of an ordinance or resolution,*
23 *building standards that prohibit entirely the use of graywater, or*
24 *building standards that are more restrictive than the graywater*
25 *building standards adopted by the department under Section*
26 *17922.12 and published in the California Building Standards Code.*

27 ~~SECTION 1. Section 14877.1 of the Water Code is amended~~
28 ~~to read:~~

29 ~~14877.1. (a) The department, in consultation with the State~~
30 ~~Department of Public Health and the Center for Irrigation~~
31 ~~Technology at California State University, Fresno, shall adopt~~
32 ~~standards for the construction, installation, or alteration of~~
33 ~~graywater systems. In adopting these standards, the department~~
34 ~~shall consider, among other resources, “Appendix J,” as adopted~~
35 ~~on September 29, 1992, by the International Association of~~
36 ~~Plumbing and Mechanical Officials, the graywater standard~~
37 ~~proposed for the latest edition of the Uniform Plumbing Code of~~
38 ~~the International Association of Plumbing and Mechanical~~
39 ~~Officials, the City of Los Angeles Graywater Pilot Project Final~~
40 ~~Report issued in November 1992, and the advice of the Center for~~

1 ~~Irrigation Technology at California State University, Fresno, on~~
2 ~~the installation depth for subsurface drip irrigation systems.~~

3 ~~(b) The department, in adopting standards pursuant to~~
4 ~~subdivision (a), shall achieve the promotion of graywater systems~~
5 ~~while ensuring reasonable protection of water quality in accordance~~
6 ~~with applicable provisions of state and federal water quality law.~~

7 ~~(c) The department shall include among the approved methods~~
8 ~~of subsurface irrigation, but shall not be limited to, drip systems.~~

9 ~~(d) The department shall revise its graywater systems standards~~
10 ~~as needed.~~

11 ~~SEC. 2. Section 14877.2 of the Water Code is amended to read:~~

12 ~~14877.2. A graywater system may be constructed, installed,~~
13 ~~or altered if the city or county having jurisdiction over the~~
14 ~~construction, installation, or alteration determines that the system~~
15 ~~complies with standards adopted by the department.~~